

Appl. No. 10/802,156  
Amdt. Dated October 30, 2008  
Reply to Office Action of June 30, 2008

### AMENDMENTS

#### Listing of Claims:

This listing of claims will replace all prior versions, and listings, of claims in the application:

1. (Currently amended) A holder for securing a flexible bag within a trash container having a container sidewall defining a bag-receiving area and having a rim at an upper end of the sidewall and over which the flexible bag is secured, the holder comprising:

~~a sidewall defining a bag receiving area and having an upper rim,~~

~~a bag-retaining surface integral to and projecting from the container sidewall in a rearward direction opposite the bag-receiving area, and~~

~~a locking portion defining a recess, wherein the locking portion and the recess [[are]] confined to the bag-retaining surface and positioned outside the bag-receiving area do not contact the adjacent upper rim, and~~

~~a locking member having a bag-retaining notch therein and carried on the surface by the locking portion for movement between a release position and a locking position, wherein the notch is entirely within the recess, and below the surface, when in the locking position and the locking member does not contact the upper rim.~~
2. (Cancelled)
3. (Original) The holder of claim 1, and further comprising a pivot structure supporting the locking member for pivotal movement between its release and locking positions.
4. (Original) The holder of claim 3, wherein the pivot structure includes a pivot shaft extending across the recess.

Appl. No. 10/802,156  
Amdt. Dated October 30, 2008  
Reply to Office Action of June 30, 2008

5. (Original) The holder of claim 4, wherein the notch is a first notch, the locking member including a second notch adapted to receive the pivot shaft therein.
6. (Original) The holder of claim 5, wherein the second notch includes a part-cylindrical portion and a tapered portion communicating with the part-cylindrical portion at a throat having a width slightly less than the diameter of the part-cylindrical portion.
7. (Original) The holder of claim 1, wherein the locking member includes a handle tab accessible by a user to facilitate movement of the locking member between its locking and release positions.

8 – 17 (Cancelled)